

United States District Court

EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

NELSON A. LOCKE,	§	
	§	Civil Action No. 4:22-CV-256
v.	§	(Judge Mazzant/Judge Nowak)
	§	
AUGUSTIN RIVERA JR., ET AL.	§	

MEMORANDUM ADOPTING REPORT AND RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the Magistrate Judge pursuant to 28 U.S.C. § 636. On March 6, 2023, the report of the Magistrate Judge (Dkt. #48) was entered containing proposed findings of fact and recommendations that Defendants Augustin Rivera, Jr., Teresa Ereon Giltner, Harold Odom, Barbara Ellis, Anna M. McKim, Cynthia Eva Hujar Orr, Charles Alfred Mackenzie, Dwaine M. Massey, Carlos R. Soltero, and Nathan L. Hecht's Motion to Dismiss Plaintiff's First Amended Complaint (Dkt. #18) be granted and Plaintiff Nelson A. Locke's claims against all Defendants be dismissed. The Report further recommends Plaintiff's Corrected Motion for Leave to Amend (Dkt. #33) be denied.

Having received the report of the Magistrate Judge, considered Plaintiff's Objections (Dkt. #49), and conducted a *de novo* review, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the Court.

It is therefore **ORDERED** that the Motion to Dismiss Plaintiff's First Amended Complaint (Dkt. #18) is **GRANTED** and Plaintiff's Corrected Motion for Leave to Amend (Dkt. #33) is **DENIED**. Plaintiff's claims against all Defendants are **DISMISSED**.

All relief not previously granted is **DENIED**.

The Clerk is directed to **CLOSE** this civil action.

IT IS SO ORDERED.

SIGNED this 22nd day of March, 2023.



AMOS L. MAZZANT
UNITED STATES DISTRICT JUDGE